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**UNITED STATES BANKRUPTCY COURT**  
**CENTRAL DISTRICT OF CALIFORNIA, SANTA ANA DIVISION**

In re

Jeffrey S. Beier,  
  
Debtor.

Case No. 8:23-bk-10898-TA

**Chapter 7**

**REQUEST FOR JUDICIAL NOTICE IN  
SUPPORT OF OBJECTION TO PROOF OF  
CLAIM 2-1 FILED BY THE BANK OF  
NEW YORK MELLON, FKA THE BANK OF  
NEW YORK SUCCESSOR TRUSTEE  
TO JPMORGAN CHASE BANK, N.A., AS  
TRUSTEE FOR THE BEAR STEARNS  
ALT-A TRUST, MORTGAGE  
PASS-THROUGH CERTIFICATES,  
SERIES 2005-04**

**Hearing Date**

Date: January 9, 2023

Time: 11:00 a.m.

Place: Courtroom 5B

411 West Fourth Street  
Santa Ana, CA 92701-4593

**TO THE HONORABLE THEODORE ALBERT, UNITED STATES BANKRUPTCY JUDGE;  
THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK SUCCESSOR  
TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS TRUSTEE FOR THE BEAR STEARNS  
ALT-A TRUST, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-04 AND  
THEIR ATTORNEYS OF RECORD; AND OTHER INTERESTED PARTIES AND THEIR  
ATTORNEYS OF RECORD:**

Debtor, Jeffrey S. Beier ("Debtor"), hereby requests this Court to take judicial notice, pursuant

1 to Federal Rule of Evidence 201,<sup>1</sup> of the following:

2 1. Proof of Claim Number 2 for The Bank of New York Mellon FKA the Bank, filed July  
3 12, 2023 in the above-captioned bankruptcy case, a true and correct copy of which is attached hereto and  
4 incorporated herein, by this reference, as Exhibit "A."

5 2. Order Granting Chapter 7 Trustee's Motion for Order: (1) Authorizing Sale of Real  
6 Property Free and Clear of Liens and Interests Pursuant to 11 U.S.C. § 363(f); (2) Approving Overbid  
7 Procedures; (3) Approving Broker Compensation; (4) Authorizing Distribution of Sale Proceeds; (5)  
8 Determining That the Proposed Buyer and Overbidder Are "Good Faith Purchasers" under 11 U.S.C.  
9 § 363(m); and (6) Waiving 14 Day Stay Imposed by Federal Rule of Bankruptcy Procedure 6004(h),  
10 filed in the above-captioned bankruptcy case on November 15, 2023 [Docket Number 104], a true and  
11 correct copy of which is attached hereto and incorporated herein, by this reference, as Exhibit "B."

12 Respectfully Submitted,

13 HABERBUSH, LLP  
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15 Dated: December 1, 2023

16 By: DAVID R. HABERBUSH, ESQ., Attorneys Debtor.  
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28 <sup>1</sup> The Federal Rules of Evidence are made applicable to this bankruptcy case pursuant to  
Fed. R. Evid. 1101.

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
444 West Ocean Boulevard, Suite 1400, Long Beach, CA 90802

A true and correct copy of the foregoing document entitled (*specify*): **REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF OBJECTION TO PROOF OF CLAIM 2-1 FILED BY THE BANK OF NEW YORK MELLON, FKA THE BANK OF NEW YORK SUCCESSOR TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS TRUSTEE FOR THE BEAR STEARNS ALT-A TRUST, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-04** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **December 1, 2023**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- **Anerio V Altman** LakeForestBankruptcy@jubileebk.net, lakeforestpacer@gmail.com
- **Greg P Campbell** chl1ecf@aldridgepite.com, gc@ecf.inforuptcy.com;gcampbell@aldridgepite.com
- **Arturo Cisneros** arturo@mclaw.org, CACD\_ECF@mclaw.org
- **Arturo Cisneros (TR)** amctrustee@mclaw.org, acisneros@iq7technology.com;ecf.alert+Cisneros@titlexi.com

- **Joseph C Delmotte** ecfcacb@aldridgepite.com, JCD@ecf.inforuptcy.com;jdelmotte@aldridgepite.com
- **Michael J Hauser** michael.hauser@usdoj.gov
- **Nathan F Smith** nathan@mclaw.org, CACD\_ECF@mclaw.org;mcecfnotices@ecf.courtdrive.com;c valenzuela@mclaw.org
- **United States Trustee (SA)** ustpreion16.sa.ecf@usdoj.gov

☐ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On December 1, 2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served):** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **December 1, 2023**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Theodor C. Albert, JUDGE  
United States Bankruptcy Court  
411 West Fourth Street,  
Suite 5085 / Courtroom 5B  
Santa Ana, CA 92701

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

December 1, 2023      Alexander S. Bostic  
Date      Printed Name

  
Signature

Brian Thompson  
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23792 Rockfield Blvd Ste 101  
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